

In re ) Fair Hearing No. 20,629  
 )  
Appeal of )

The petitioner appeals a decision of the Department of Children and Families (DCF) denying her temporary housing assistance beyond the eighty-four day maximum. The issue is whether the petitioner is eligible for continuing temporary housing assistance.

1. The petitioner and her eleven-year-old son moved back to Vermont to escape domestic violence on or about July 15, 2006.

2. On July 17, 2006, petitioner was approved for temporary housing assistance. Petitioner receives food stamps in addition to the Reach Up Financial Assistance (RUFA) grant.

3. The petitioner has been staying at the Vermont  
Maple Inn.

4. On November 21, 2006, petitioner requested an expedited fair hearing seeking a continuation of her temporary housing at Vermont Maple Inn.

5. An expedited hearing was held on November 21, 2006. Peggy Heath, case manager, testified that space was available at the family shelter.

ORDER

The Department's decision is affirmed.

REASONS

Families with dependent children can apply to the Department for help meeting their emergency needs when they have no other way to meet those needs. Welfare Assistance Manual (W.A.M.) § 2800 *et seq.* In particular, homeless families can apply for temporary housing assistance to ensure that they will be housed while seeking permanent housing.

W.A.M. § 2813.2 states:

Temporary housing is intended to provide short term shelter (84 day maximum) for applicants who are involuntarily without housing through circumstances they could not reasonably have avoided and for whom permanent housing or alternative arrangements are not immediately available. "Could not have reasonably have avoided" is subject to the limitation in 2802.1(4). Temporary housing, beyond 28 cumulative days in any consecutive 12-month period, is not an entitlement. . . The emergency assistance program is a program of last resort. Eligibility criteria are narrow as funding is

limited. Although the regulations allow temporary housing assistance for up to eighty-four days, only the first twenty-eight days constitute an entitlement. In this particular case, the petitioner had reached the maximum time limit and other temporary housing was available.

The Department acted within its authority to deny further payment. Accordingly, the Department's decision is affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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